

### **REMARKS**

The Examiner objected to claim 1 due to a minor informality. The Examiner rejected claim 1 35 U.S.C. 102(b) as being anticipated by Hoult (3702702) and also rejected claims 2-8, and 19-26 under 35 U.S.C. 103(a) as being unpatentable for obviousness over Hoult in view of CPSC.

Each of these objections and rejections is addressed individually below.

Further, a new claim 27 is added in accordance with paragraph [0027] on page 6, which discusses tactile feel through the thickness variations of the present invention. Claim 24 is cancelled.

#### **The Claim Objections:**

The Examiner objected to the claims due to a minor informality. Specifically, the Examiner objected to claim 1 due to a minor typographical error. Claim 1 has been amended to correct this typographical error as set forth above. It is therefore submitted that this objection has now been overcome.

#### **The Claim Rejections:**

The Examiner rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by Hoult (3702702) and also rejected claims 2-8, and 19-26 under 35 U.S.C. 103(a) obviousness over Hoult in view of CPSC.

#### **Section 102(b) rejection of Claim 1:**

According to the Office Action, Hoult discloses a hollow tube having a generally uniform dimension along its length and having an interior surface and an exterior surface. The hollow tube has a first thickness defined by a distance between the interior surface and the exterior surface at a first location along the tube and a second thickness defined by a distance between the interior surface and the exterior thickness at a second location along the hollow metal tube; wherein the first thickness has a greater magnitude than the second thickness.

Claim 1 as amended requires a handle for a lacrosse head. The handle is constructed of a one-piece hollow tube having an interior surface and an exterior surface. The hollow tube has a first end for communicating with a lacrosse head and a second end opposing the first end. The exterior surface of the handle has a generally uniform dimension along its length and includes a plurality of sides (as illustrated in

Figure 3 and discussed in paragraph [0024]). The hollow tube has a first thickness defined by a distance between the interior surface and the exterior surface at a first location along the tube, wherein the first location includes at least a portion of at least two adjacent sides (as illustrated in Figure 3 and discussed in paragraph [0026]). The first thickness is greater in magnitude than a second thickness, which is defined by a distance between the interior surface and the exterior surface at a second location.

Claim 1 defines over Hoult for at least the reason that it includes a tube including a plurality of sides and that at least a portion of at least two adjacent sides of the plurality of sides is thicker than a second location on the tube. Hoult does not teach or suggest adjacent sides of increased thickness. Instead, Hoult discloses rib portions extending outwardly from non-adjacent sides. (See Figure 5.)

Because Hoult does not disclose or suggest each and every element of claim 1, it is therefore submitted that claim 1 is allowable over Hoult for at least this reason. It is also submitted that claims 2-8, which depend from the amended claim 1, are allowable for the same reason.

**Section 103(a) rejection of Claims 2-8 and 19-26:**

As mentioned, claims 2-8 and 19-26 are rejected as being obvious over Hoult in view of CPSC. According to the Office Action, Hoult includes the lacrosse handle of claims 1, 19, and 23; and CSPA discloses that the lacrosse handle may be titanium.

As mentioned above, claim 1 is amended to overcome the 102(b) rejection thereof. It is also submitted that, because claims 2-8 depend from claim 1, this amendment overcomes the 103(a) rejection, as the prior art, either alone or in combination, does not include all the limitations of the amended claim 1.

Further, in response to this rejection, claim 19 is amended to include that the first thickness is defined by a distance between the interior surface and the exterior surface substantially throughout the first half. Claim 23 is amended to include that the first thickness is defined by a distance between the interior surface and the exterior surface throughout the first half and substantially throughout a given longitudinal length along said reference plane. Neither Hoult nor CSPA disclose or suggests these claim elements.

Claims 19 and 23 both require that at least a longitudinal portion of half of a lacrosse handle has a thicker surface (as a function of the internal surface to the external surface) than the other half. In contrast, Hoult merely discloses having longitudinal ribs, as discussed above. The longitudinal ribs do not provide the same strength and playability characteristics as claimed in the present Application. The reinforced sides are included such that areas of the handle that often undergo severe trauma are reinforced while weight of the handle is not significantly changed.

CSPS merely describes a titanium handle for a lacrosse stick highly susceptible to breaking during lacrosse play. CSPS, however, does not disclose or suggest ways to improve this problem, such as the reinforced handle claimed in the present invention. Therefore, because each and every element of claims 19 and 23 is not found in the prior art, claims 19 and 23 are believed to be allowable. Claims 20-22 and 24-26 depend from the amended claims 19 and 23 and are believed to be allowable for at least this reason.

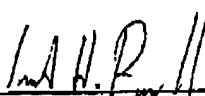
**Conclusion:**

It is respectfully submitted that all objections and rejections of record have been overcome and that all pending claims are in condition for allowance. A notice of allowance is therefore earnestly solicited.

If the Examiner should have any questions, she is urged to contact the undersigned.

Respectfully submitted,

ARTZ & ARTZ P.C.



Justin H. Purcell  
Reg. No. 53,493  
28333 Telegraph Road, Ste. 250  
Southfield, MI 48034  
(248) 223-9500

Dated: July 20, 2005